

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CR. NO. 3:05-cr-141-F
)	
ROY TERRY)	

RESPONSE TO MOTION TO CONTINUE SENTENCING

Comes now the United States of America, by and through Leura Garrett Canary, United States Attorney for Middle District of Alabama, and in response to the Motion to Continue Sentencing filed by the Defendant herein, the following is submitted:

The Government agrees that a continuance is appropriate, and would suggest a sixty (60) day postponement. The Government would advise the Court that it is involved currently in negotiations with the defendant concerning the possibility and scope of a downward departure motion, which in turn will depend on developments in the Government's continuing investigation. The Government is willing to provide further information about the status of that investigation under seal if the Court so requests.

Respectfully submitted this the 11th of January, 2006.

LEURA GARRETT CANARY
UNITED STATES ATTORNEY

/s/ Andrew O. Schiff
ANDREW O. SCHIFF
Assistant United States Attorney
Post Office Box 197
Montgomery, Alabama 36101-0197
334.223.7280
334.223.7135 fax
andrew.schiff@usdoj.gov

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CR. NO. 3:05-cr-141-F
)	
ROY TERRY)	

CERTIFICATE OF SERVICE

I hereby certify that on January 11, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

George L. Beck, Jr.

Respectfully submitted,

LEURA GARRETT CANARY
UNITED STATES ATTORNEY

/s/ Andrew O. Schiff
ANDREW O. SCHIFF
Assistant United States Attorney
Post Office Box 197
Montgomery, Alabama 36101-0197
334.223.7280
334.223.7135 fax
andrew.schiff@usdoj.gov